

1
2
3
4 ALI BADR,
5 Plaintiff,
6 v.
7
8 CITY OF SAN RAMON ET AL.,
9 Defendants.
10

11
12 Case No. 4:21-cv-09575-YGR
13
14 **ORDER REGARDING STAY**

15 On February 28, 2022, defendant Hyrecar gave notice that it had entered bankruptcy
16 proceedings, automatically staying this action as to Hyrecar. (Dkt. No. 85.) The Court ordered
17 the parties to brief whether this action should be stayed as to the remaining parties and claims.
18 (Dkt. No. 90.) Having reviewed that briefing, the Court finds the action cannot proceed as to John
19 Blomeke and Carmommy Rentals LLC. As plaintiff himself states, it is unclear how these entities
20 are related and the extent to which each is responsible for the alleged negligence regarding
21 reporting the car rented by plaintiff as stolen. Additionally, Carmommy and Blomeke have
22 brought related cross-claims against HyreCar that should be heard at the same time as plaintiff's
23 claims against Carmommy and Blomeke. To proceed otherwise would unjustly prejudice the car
24 rental defendants and waste judicial resources.

25 However, the Court sees no reason to stay this action as to the city and law enforcement
26 defendants. Those defendants did not file briefing advocating for a stay. Plaintiff's claims
27 regarding their allegedly unlawful search, seizure, and use of force against plaintiff are
28 independent of the claims against the car rental defendants. Plaintiff's continued emotional and
physical challenges related to his interactions with defendants also counsels against a stay.

Accordingly, this action is **STAYED** as to Carmommy and Blomeke until further order of
this Court. The parties shall advise the Court within seven days if the bankruptcy stay is lifted.

1 The action shall continue as to the city and law enforcement defendants.

2

3

IT IS SO ORDERED.

4

Dated: March 27, 2023

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE